



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
-----------------	-------------	----------------------	---------------------	------------------

10/725,743

12/02/2003

Elliot N. Linzer

03-1973 1496.00352

3068

22501 7590 07/23/2009

CHRISTOPHER P MAIORANA, PC

LSI Corporation

24840 HARPER

SUITE 100

ST CLAIR SHORES, MI 48080

EXAMINER

CHEN, CAI Y

ART UNIT

PAPER NUMBER

2425

MAIL DATE

DELIVERY MODE

07/23/2009

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/725,743	Applicant(s) LINZER, ELLIOT N.	
	Examiner CAI CHEN	Art Unit 2425	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 04/22/2009.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-14 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-14 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Applicant's arguments filed 04/29/2009 of Remarks have been fully considered but they are not persuasive.

Regarding claim 1, applicant argues (page 7 of the Remarks) that Wang does not disclose "modifying each of said frames of said first segment from said first signature to a third signature, wherein said first segment comprises a non-commercial program,"

In response, the examiner respectfully disagrees. Wang discloses the first segment of frames (to be commercial transition frame, e.g., blank or dark frames, content dependent frame, semi-dependent frame, and/or content-dependent transition video frames), and the first segment of frames is not a commercial program related (the commercial transition frame separates the commercial program, para. 36-37, para. 53-55, and para. 59-60). Wang further discloses that "the content editing and composition device (el. 830) uses to modify the original commercial transition frame with its transition parameter to generate a new modified commercial transition frame with its new transition parameter (para. 4-5, para. 61-67, and para. 81-86) as illustrated in Fig. 6 and 7.

Claim Rejections - 35 USC § 103

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 103 that form the basis for the rejections under this section made in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1, 3-4, and 7-14 are rejected under 35 U.S.C. 103(a) as being unpatentable by Wang (US 2003/0001977 A1) in view of Linzer (6,463,102 B1)

Regarding claim 1, Wang discloses a method for processing a video signal (para. 22), comprising the steps of:

(A) receiving said video signal comprising (i) a first segment having a series of frames have a region defining a first signature and a second segment having a series of frames have a region defining a second signature (para. 22-24, para. 30-35, there are regular TV programming and commercial programming are being receive, the content classification device able to identify the commercial programming associates with commercial classification/description/signature, and identify the regular programming associates with regular classification/description/signature, wherein the first segment refers to regular programming and the second segment refers as commercial programming).

(B) modifying each of said frames of said first segment (commercial transition frame, e.g., blank or dark frames, content dependent frame, semi-dependent frame, and/or content-dependent transition video frames, para. 36-37, para. 54-55, and para. 59-60) from said first signature to a third signature (Fig. 5-7, para. 62-86, the content editing and composition device can changed and modified the commercial transition frame from one set of transition parameter to another set of transition parameter); (i) said first segment comprises a non-commercial program (commercial transition frame

Art Unit: 2425

separates the commercial program, e.g., blank or dark frames, content dependent frame, semi-dependent frame, and/or content-dependent transition video frames, para. 36-37, para. 53-55, and para. 59-60), and

(C) modifying each of said frames of said second segment from said second signature to a fourth signature (Fig. 5-7, para. 62-86, the content editing and composition device can changed and modified the commercial transition frame from one set of transition parameter to another set of transition parameter).

Wang does not explicitly disclose [a first segment having a frame having] a first region and a second region and [a second segment having a frame having] a first region and a second region.

Linzer teaches [a first segment having a frame having] a first region and a second region and [a second segment having a frame having] a first region and a second region (Fig. 2-7, col. 1, lines 35-67, col. 2, lines 1-15, col. 3, lines 1-67, each frame has a active region and non-active region).

It would be obvious to one of ordinary in the art at the time of invention to modify Wang frame to include a first segment having a frame having] a first region and a second region and [a second segment having a frame having] a first region and a second region, as taught by Linzer, in order to have an option to edit the frame of the program (abstract).

Regarding claim 3, Wang in view of Linzer discloses wherein (ii) said second segment comprises a commercial program and (iii) said signature modification is

Art Unit: 2425

performed to suppress the detection of commercials in said video signal (Wang, abstract, para. 82-86, para. 4-7).

Regarding claim 4, Wang in view of Linzer discloses wherein transitions between said first and second segments are not detectable (Wang, Fig. 5-7, abstract, para. 4-7, para. 64-86).

Regarding claim 7, Wang in view of Linzer discloses wherein said video signal comprises a digital video signal (Wang, para. 3, Linzer, col. 2, lines 16-37, col. 4, claim 1).

Regarding claim 8, Wang in view of Linzer further discloses wherein said first region comprises an active region (Linzer, Fig. 2 and 3, col. 1, lines 35-67, col. 2, lines 1-15, col. 3, lines 1-67, the encoded region is an active region).

Regarding claim 9, Wang in view of Linzer further discloses obscuring a start of an active video in at least one of said frames (Linzer, Fig. 6, col. 3, lines 30-56, blurring the edge of an image frame).

Regarding claim 10, Wang in view of Linzer further discloses wherein:
step (C) comprises modifying said frames of said second segment from said second signature to said first signature (Wang, Fig. 5-7, para. 61-86, the content editing

Art Unit: 2425

and composition device can changed and modified the commercial transition frame from one set of parameter to another set of parameter to prevent the detection of the commercial program).

Regarding claim 11, the apparatus claim is analyzed with respect to claim 1.

Regarding claim 12, the apparatus claim is analyzed with respect to claim 7.

Regarding claim 13, the apparatus claim is analyzed with respect to claim 1.

Regarding claim 14, the apparatus claim is analyzed with respect to claim 7.

3. Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable by Wang (US 2003/0001977 A1) in view of Linzer (6,463,102 B1) and further in view of Dimitrova (US 6,469,749 B1).

Regarding claim 3, Wang in view of Linzer discloses all limitation of claim 1. Wang in view of Linzer discloses the commercial programs associates with signature (para. 82-86, the transition parameter associates with the commercial program can be modified).

Wang in view of Linzer does not explicitly disclose wherein said second signature is equal to said fourth signature.

Dimitrova teaches wherein said second signature is equal to said fourth signature (Fig. 2, abstract, col. 5, lines 25-col. 8, lines 20, the signatures are extracted from the

Art Unit: 2425

commercial program to compare with the signatures stored in the database to check to see if they match, if it is then the verification is a commercial program).

It would be obvious to one of ordinary in the art at the time of invention to modify Wang in view of Linzer frame to include wherein said second signature is equal to said fourth signature, as taught by Dimitrova, in order to correct identify the program content and making sure the physical program content has not been change (abstract).

4. Claims 5 and 6 are rejected under 35 U.S.C. 103(a) as being unpatentable by Wang in view of Linzer and further in view of Teicher (5,847,703)

Regarding claim 5, Wang in view of Linzer discloses all limitation of claim 1.

Wang in view of Linzer does not explicitly discloses cropping each of said frames to a first size, wherein said cropped frames comprise only said first region equaling a size of said frames prior to said modifying steps.

Teicher teaches cropping each of said frames to a first size, wherein said cropped frames comprise only said first region equaling a size of said frames prior to said modifying steps (User uses Crop criteria and frame size criteria to select the desire frame, see Fig. 3-4, col. 4, lines 46-col. 5, line 50).

It would be obvious to one of ordinary in the art at the time of invention to modify Wang in view of Linzer frame to include cropping each of said frames to a first size, wherein said cropped frames comprise only said first region equaling a size of said

Art Unit: 2425

frames prior to said modifying steps, as taught by Teicher, in order to identify and view the desire frames of the desire segment of the program (abstract).

Regarding claim 6, Wang in view of Linzer and further in view of Teicher discloses wherein said first size fills said active region (Linzer, Fig. 2-7, col. 1, lines 35-67, col. 2, lines 1-15, col. 3, lines 1-67, Teicher, Fig. 3-4, col. 4, lines 46-col. 5, line 50, the users uses the crop criteria and the frame size criteria to fill the crop size the active region of the frame)

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Art Unit: 2425

Any inquiry concerning this communication or earlier communications from the examiner should be directed to CAI CHEN whose telephone number is (571)270-5679. The examiner can normally be reached on 7:30 am to 4:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Brian Pendleton can be reached on 571-272-7527. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

C. C.
Examiner, Art Unit 2425

/Brian T. Pendleton/

Supervisory Patent Examiner, Art Unit 2425